

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
UNIVERSITY,

Plaintiff,

v.

CHIANG FANG CHI-YI, et al.,

Defendants.

Case No. 13-cv-04383-BLF

**ORDER RE STANFORD'S REQUEST
FOR MODIFICATION OF ORDER**

[Re: ECF No. 397]

On July 7, 2023, Plaintiff (“Stanford”) filed a request that the Court modify its July 7, 2023 Order Dismissing Action as to Chungyan (“James”) Chan. ECF No. 397. Stanford requests that the Court withdraw its Order and either enter default as to Mr. Chan or grant Academia Historica’s (“AH”) pending Motion for Entry of Order to Transfer Deposits and enter Judgment thereon. *Id.* The Court understands Stanford’s concerns, but the Court cannot reconcile Stanford’s request with AH’s pending motion, which would be the basis of the final Order and Judgment. *See* ECF No. 392. In that motion, AH states that it is “proper to dismiss Chan as a claimant/party for failure to prosecute his claims and/or comply with Orders of this Court.” *Id.* at 5.

The Court proposes amending its Order to state that the dismissal of Mr. Chan is with prejudice. Stanford SHALL advise the Court whether this would address its concerns, or it may request a further status conference.

IT IS SO ORDERED.

Dated: July 7, 2023



BETH LABSON FREEMAN
United States District Judge